

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Chapter 7 Estate of Bernard L. Madoff,

Plaintiff,

v.

BANCA CARIGE S.P.A.,

Defendant.

Adv. Pro. No. 11-02570 (CGM)

STIPULATION AND ORDER TO AMEND CAPTION

Plaintiff Irving H. Picard (the “Trustee”), as Trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities (“BLMIS”) and the estate of Bernard L. Madoff, and defendant BPER Banca S.P.A. (“BPER”) as successor in interest to Banca Carige S.P.A (“Banca Carige”) (collectively the “Parties”), by and through their respective, undersigned counsel, stipulate as follows:

WHEREAS, on September 1, 2011, the Trustee commenced the above-captioned adversary proceeding by filing a complaint (the “Complaint”) against Banca Carige to recover alleged subsequent transfers allegedly received from Fairfield Sentry Limited (“Fairfield Sentry”). ECF No. 1;

WHEREAS, BPER is the successor in interest to Banca Carige by virtue of their de jure merger on November 28, 2022.

WHEREAS, BPER authorized its counsel to accept service of the Complaint, and its counsel entered an appearance on its behalf; and

IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, and **SO ORDERED**, by the Court:

1. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, as incorporated by Rule 7015 of the Federal Rules of Bankruptcy Procedure, the Trustee amends his Complaint to include BPER as successor in interest to Banca Carige.

2. The caption for the Complaint is amended to reflect the current name of BPER, consistent with the attached Exhibit A.

3. This stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic, or electronic copy of this stipulation shall be deemed an original.

Dated: February 22, 2023
New York, New York

BAKER & HOSTETLER LLP

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Attorney for Defendant BPER Banca S.P.A.

**Dated: February 23, 2023
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
U.S. Bankruptcy Judge**